

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

TERRY D. DIXON,

Petitioner,

vs.

RENEE BAKER, et al.,

Respondents.

Case No. 3:13-cv-00248-RCJ-WGC

**ORDER GRANTING UNOPPOSED
MOTION FOR ENLARGEMENT OF
TIME TO FILE REPLY IN SUPPORT
OF MOTION TO DISMISS**

(ECF NO. 71)

(FIRST REQUEST)

Respondents move this Court for an enlargement of time of 60 days from the current due date of December 27, 2021, up to and including February 25, 2022, in which to file their reply in support of their motion to dismiss Terry Dixon's Second Amended Petition (ECF No. 61). This Motion is made pursuant to Fed. R. Civ. P. 6(b) and Rule 6-1 of the Local Rules of Practice and is based upon the attached declaration of counsel. This is the first enlargement of time sought by Respondents to file the response, and the request is brought in good faith and not for the purpose of delay.

DATED December 27, 2021.

Submitted by:

AARON D. FORD
Attorney General

By: /s/ Jessica Perlick
Jessica Perlick (Bar. No. 13218)
Senior Deputy Attorney General

DECLARATION OF JESSICA PERLICK

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

I, JESSICA PERLICK, being first duly sworn under oath, deposes and states as follows:

1. I am an attorney licensed to practice law in all courts within the State of Nevada and am employed as a Senior Deputy Attorney General in the Office of the Nevada Attorney General. I have been assigned to represent Respondents in *Terry D. Dixon v. Renee Baker, et al.*, Case No. 3:13-cv-00248-RCJ-WGC, and as such, have personal knowledge of the matters contained herein.

2. This motion is made in good faith and not for the purposes of delay.

3. The deadline to file the reply in support of the motion to dismiss Dixon's second amended petition (ECF No. 61) is December 27, 2021.

4. The Court's scheduling order instructed that the reply deadline would be set by the local rules. ECF No. 56 at 2-3. Local Rule LR 7-2(b) sets a deadline of seven days following service of the opposition in which to file a reply. Dixon filed his opposition on December 20, 2021 (ECF No. 89), thus setting Respondents' reply deadline as December 27, 2021.

5. I have been unable with due diligence to complete the reply herein. The timing of Dixon's opposition deadline meant that it was filed just days before office and court closures for the holiday. During that week I was already working to complete a reply brief in *Murray v. Howell*, 21-15104, and providing coverage during colleagues' annual leave.

6. In addition to his opposition, Dixon filed a motion for evidentiary hearing. ECF No. 90. The deadline for Respondents' opposition is January 3, 2022. Undersigned counsel intends to file a separate request for additional time to file the opposition and will seek to have both the reply and opposition deadline set for the same new date.

7. I am requesting 60 days from the current reply deadline to account for not only the brief in *Murray*, but an existing, already-extended deadline I must prioritize in *Guy v. Baca*, 2:11-cv-01809, which is a former capital case in which all procedural defenses and related analyses have been deferred to the answer. I am also working to account for other existing deadlines in January, including responses in *Shue v. Johnson*, 2:20-cv-02025; *Guevara-Pontifes v. Baker*, 3:20-cv-00652; and *Palmer v. Gittere*,

3:18-cv-00245; and an answering brief in *Conners v. Hutchings*, 21-15693.

8. I have communicated with counsel for Dixon regarding these issues, and she indicated that she does not object to this extension.

9. For the foregoing reasons, I respectfully request an enlargement of time of 60 days, up to and including February 25, 2022, in which to file the reply in support of the motion to dismiss.

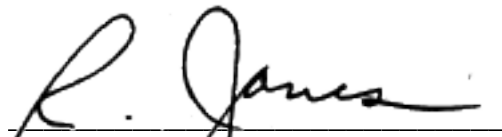
Executed on December 27, 2021.

/s/ Jessica Perlick
Jessica Perlick (Bar No. 13218)

ORDER

IT IS SO ORDERED.

This 14th day of January, 2022.



ROBERT C. JONES
United States District Judge